

**RESOLUTION NO. CZAB5-3-02**

*WHEREAS, CORUM HOMES, LLC* applied for the following:

- (1) GU to PAD
- (2) SPECIAL EXCEPTION to permit site plan approval for proposed residential developments.
- (3) UNUSUAL USE to permit multiple lake excavations.
- (4) UNUSUAL USE to permit an entrance feature.
- (5) NON-USE VARIANCE OF ZONING REGULATIONS requiring section line roads to be 80' in width; to vary same to permit a right-of-way width of 25' (40' required) on the east side of N.W. 97<sup>th</sup> Avenue.
- (6) NON-USE VARIANCE OF ZONING REGULATIONS to permit common open space of the category 1 requirements to be 27.43% (60% minimum required).
- (7) NON-USE VARIANCE OF ZONING REGULATIONS to permit private open space of the interior floor area to be 6.19% (60% minimum required).

A plan is on file and may be examined in the Zoning Department entitled "Bellaggio Residential Development," as prepared by Sotolongo Architects, last revised 3/12/02 on SP1-SP7 and 49 sheets dated 12/20/01 and dated stamped received 2/25/02 and landscaping plans by Witkin Design Group, sheets L-1 through L-8, dated last revised 3/13/02 and consisting of a total of 64 sheets. Plans may be modified at public hearing.

SUBJECT PROPERTY: Tracts 33 through 38, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, Plat book 2, Page 17 lying in Section 21, Township 52 South, Range 40 East, LESS 15± acres for Interstate 75, right-of-way AND: Tracts 43, 44, 45 and 46, FLORIDA FRUIT LAND'S COMPANY SUBDIVISION, Plat book 2, Page 17, lying in Section 21, Township 52 South, Range 40 East, AND: Portions of Tract 39, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION NO. 1, of Section 21, Township 52 South, Range 40 East, Plat book 2, Page 17, being more particularly described as follows: Begin at the Southwest corner of said Tract 39; thence N2°37'47"W, along the west line of said Tract 39, for 330.2', to the Northwest corner of said Tract 39; thence N89°37'53"E along the north line of said Tract 39, for 319.94', to a point on the W/ly right-of-way line of Interstate 75, said point also being on a circular curve, said curve being concave to the Southeast and having a radius of 1,315.92'; thence SW/ly along the arc of said curve and along said W/ly right-of-way line of Interstate 75, through a central angle of 11°3'51", for an arc distance of 254.11'; thence N77°18'30"W, along said W/ly right-of-way line of Interstate 75 for 130.38'; thence S11°23'7"W along said W/ly right-of-way line of Interstate 75 for 121.43', to a point on the south line of said Tract 39; thence S89°38'6"W, along said south line of Tract 39, for 74.4', to the Point of beginning.

LOCATION: South of N.W. 146 Street & between N.W. 97 Avenue & I-75, Miami-Dade County, Florida, and

*WHEREAS*, a public hearing of the Miami-Dade County Community Zoning Appeals Board 5 was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard, and

*WHEREAS*, upon due and proper consideration having been given to the matter, it is the opinion of this Board that the requested district boundary change to PAD (Item# 1) would not be compatible with the neighborhood and area concerned and would be in conflict with the principle and intent of the plan for the development of Miami-Dade County, Florida, and should be denied, and that the requested special exception (Item# 2), unusual use (Items # 3 & 4), non-use variances (Items # 5, 6, & 7) would not be compatible with the area and its development and would not be in harmony with the general purpose and intent of the regulations and would not conform with the requirements and intent of the Zoning Procedure Ordinance, and that the requested special exception (Item # 2) would have an adverse impact upon the public interest and should be denied without prejudice.

*WHEREAS*, a motion to deny items# 1-7 was offered by Paul Odell, seconded by Stuart C. Arguello, and upon a poll of the members present the vote was as follows:

|                   |                 |                   |     |
|-------------------|-----------------|-------------------|-----|
| Stuart C Arquello | aye             | Archie E. McKay   | aye |
| Jorge I. Bonsenor | absent          | Paul Odell        | aye |
| Enrique Gonzalez  | absent          | Robert P. Serrano | nay |
|                   | Gustavo Exposto | nay               |     |

*NOW THEREFORE BE IT RESOLVED* by the Miami-Dade County Community Zoning Appeals Board 5, that the requested district boundary change to PAD (Item# 1) be and the same is hereby denied without prejudice.

*BE IT FURTHER RESOLVED* that the requested special exception (Item# 2), unusual use (Items # 3 & 4), non-use variances (Items # 5, 6, & 7) be and the same are hereby denied without prejudice.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Department of Planning and Zoning.

*PASSED AND ADOPTED* this 30<sup>th</sup> day of May, 2002.

Hearing No. 02-4-CZ5-1

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**STATE OF FLORIDA**

**COUNTY OF MIAMI-DADE**

I, Barbara Thompson, as Deputy Clerk for the Miami-Dade County Department of Planning and Zoning as designated by the Director of the Miami-Dade County Department of Planning and Zoning and Ex-Officio Secretary of the Miami-Dade County Community Zoning Appeals Board 5, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. CZAB5-3-02 adopted by said Community Zoning Appeals Board at its meeting held on the 30<sup>th</sup> day of May, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand on this 4<sup>th</sup>  
day of May, 2002.



Earl Jones, Deputy Clerk (3230)  
Miami-Dade County Department of Planning and Zoning

SEAL

